

REMARKS

Applicants have canceled claims 1-45, and added new claims 46-78. These claims are fully supported by the specification. No new matter has been added. Favorable consideration of the newly added claims is respectfully requested.

The Examiner required restriction of the prior claims, all of which have now been canceled. While Applicants believe that all the newly added claims could be examined without undue burden, should the Examiner believe that restriction is still warranted, Applicants hereby elect to prosecute the subject matter of Group I, drawn to a method of screening for test compounds capable of modulating the activity of an anergy marker protein. Applicants believe at least newly added claims 46-61 are within this group.

The Examiner further requires that Applicants elect a specific subgeneric class of test compound. Applicants respectfully traverse this portion of the restriction requirement, particularly since the Examiner has provided no basis therefor. However, for purposes of completeness, Applicants hereby elect the subgeneric class of a test compound being a small molecule.

The Examiner further asserts that Applicants must elect a single specific “anergy marker.” Applicants respectfully traverse this requirement. However, Applicants hereby elect GRG4 for purposes of completeness. The examiner has provided no reason why such a limited selection is required, and clearly the panel of anergy marker proteins will have more than one marker.

With respect to the Examiner’s requirement that the sequence ID of the selected “anergy marker” be set forth, Applicants note that GRG4 is identified by accession number in the specification (see page 34, line 16; accession number U61363). In addition, Applicants submit that the Examiner’s requirement that a single specific binding activity be selected along with a method to detect binding activity is now moot in view of the amended claims. Claim 46 explicitly states that the binding activity is the ability to induce anergy in T cells, and that what is measured is NFAT signaling.

The Examiner also set forth a species election for the now-canceled claims. The Examiner will recognize that the allegedly distinct species are not fully relevant to the newly added claims. However, for purposes of completeness, if the Examiner still considers the species election applicable, then Applicants elect small molecule. This is consistent with election of small molecule as the subgeneric test compound in the restriction requirement. It is believed that at least claims 46-59 of the potential Group I claims read on the elected species.

Applicants respectfully request favorable consideration and early passage to issue of the presently claimed invention.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


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